

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 14<sup>th</sup> day of February, two thousand twenty-three.

Before: Alison J. Nathan,  
*Circuit Judge.*

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40 Days for Life, a nonprofit corporation of the State of Texas, White Plains 40 Days for Life, as unincorporated association of the State of New York, Oksana Hulinsky, Regina Creary Molinelli,

**ORDER**

Docket No. 23-155

Plaintiffs - Appellants,

v.

County of Westchester,

Defendant – Appellee.

Appellants move for injunctive relief pending appeal in its challenge of Westchester County Law § 425.21, Reproductive Health Care Facilities Access Act. Appellants seek relief by February 22, 2023, when a 40-day “Local Vigil” is set to begin. During the vigil, Appellants “intend to leaflet and engage in sidewalk counseling outside two Planned Parenthood facilities.” Appellee opposes the emergency motion and will file opposition papers by February 15, 2023 at 5:00 p.m.

IT IS HEREBY ORDERED that the emergency motion is referred to the motions panel sitting on Tuesday, February 21, 2023. Because the motion will be heard prior to the date Appellants seek relief, it is not necessary to consider the imposition of an administrative stay.

For the Court:

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

 

Catherine O'Hagan Wolfe,  
Clerk of Court

 